

## **Summary Sheet**

### **Council Report: Cabinet Meeting**

**Title: Implementing a strategic approach to the commissioning and delivery of learning disability services**

**Is this a Key Decision and has it been included on the Forward Plan?**

Yes

### **Strategic Director Approving Submission of the Report**

Graeme Betts, Interim Strategic Director of Adult Care and Housing

### **Report Author(s)**

Jon Tomlinson, Interim Assistant Director of Adult Commissioning

### **Ward(s) Affected**

ALL

## **1. Summary**

This paper seeks approval to implement a strategic approach to the commissioning and delivery of services for people with a learning disability within Rotherham. The approach seeks to implement a set of strategic commissioning intentions that strengthen independence, choice and control and supports the Directorate's development programme. The proposed programme of work outlined in the approach is based on:

- The principles set out in Valuing People.
- Legislative requirements set out within the Care Act.
- Good practice in other parts of the country.
- What people have told us about their needs.
- A need to modernise and deploy resources as effectively as possible.

The strategic approach outlines a number of actions that will support people to be more independent, reduces the use of residential care and provides a wider choice of services to support citizens to fulfil their potential. Also, together with the market position statement, it will provide sufficient information to both current and future providers to inform their business planning - about the needs of the citizens of Rotherham.

## 2. Recommendations

It is recommended that Commissioners and Cabinet Members approve:

- 2.1 The strategic direction outlined in this report for people with learning disabilities and their carers.
- 2.2 The programme of works set out in section six with quarterly update reports on progress at the Health Select Committee.
- 2.3 The need to start working alongside and consulting with existing customers and their carers and those young people who may use services in the future to co-produce, fit for purpose and sustainable opportunities for the citizens of Rotherham.

It is recommended that Commissioners and Members Note:

- 2.4 That a range of options will need to be developed in order to meet the assessed needs of those customers who are eligible for services and that these are likely to move away from large building based traditional services to more personalised community options.
- 2.5 That this will have an impact on a number of directly provided Council services.

### **List of Appendices Included:**

Appendix 1 – Together for Change Report

Appendix 2– Summary of Council Provided Learning Disabilities Services Customer / Client No's

### **Background Papers:**

- The Adult Social Care Development Programme
- The overarching Equality Assessment for the Adult Social Care Development Programme

### **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

None

### **Council Approval Required**

Yes

### **Exempt from the Press and Public**

No

## **Title: Implementing a strategic approach to learning disability services**

### **1. Recommendations**

It is recommended that Commissioners and Cabinet Members approve:

- 1.1 The strategic direction outlined in this report for people with learning disabilities and their carers.
- 1.2 The programme of works set out in section six with quarterly update reports on progress at the Health Select Committee.
- 1.3 The need to start working alongside and consulting with existing customers and their carers and those young people who may use services in the future to co-produce, fit for purpose and sustainable opportunities for the citizens of Rotherham.

It is recommended that Commissioners and Members Note:

- 1.4 That a range of options will need to be developed in order to meet the assessed needs of those customers who are eligible for services and that these are likely to move away from large building based traditional services to more personalised community options.
- 1.5 That this will have an impact on a number of directly provided Council services.

### **2. Background**

- 2.1 During the last few years strategic commissioning activity has been limited across adult care services and as a consequence this has impacted on the range and type of services available to people with learning disabilities and their carers. The current service offer is narrow and traditional, which has impeded the effective implementation of the personalisation agenda across the Borough.
- 2.2 The current offer encourages people to be dependent and is reliant on a residential rather than independent living approach. There will be a need to strengthen planning around transitions in the future and to work closely with individuals and their families to support them to be resilient, independent and fully integrated members of their communities. Further work will also need to be undertaken to support adults currently receiving services to progress towards independence where appropriate.
- 2.3 This strategic approach is based on a commitment to put people with a learning disability and their carers in control of important areas of their lives including service and support arrangements. It is designed to meet the needs of the changing population of adults with a learning disability in Rotherham now and in the future. This approach seeks to ensure that services enable people with a learning disability to take up the opportunities on offer to any other person living in Rotherham. This is about people using their rights, making choices, leading independent lives and being included in society.

- 2.4 It is proposed that a direction of travel is established that enables people to transform their lives from one where they either live in and use specialist services or live in the community but are not part of it, into living as part of the community, mainly using services open to everyone with some specialist services. This approach may require some of the services open to everyone to change to make it easier for people with a learning disability and their carers to use them. The amount of specialist services that only people with a learning disability and their carers will use will be kept to a required minimum. People's needs will be met in the least restrictive settings possible, based on risk assessment.
- 2.5 The outcomes of the Together for Change report (Appendix one) identify what customers and their families want to see Rotherham Metropolitan Borough Council to consider and how they want to be communicated with in the future. Everyone agrees that better outcomes will be achieved for individuals and the following will be used to demonstrate the progress made:
- **Improved health and emotional well-being – 'I am as healthy as I can be'**  
People living longer and with better physical, mental and emotional health. More people living healthier lifestyles.
  - **Improved quality of life – 'I am able to live a fulfilled life'**  
Better access to ordinary housing, transport, leisure, information, life-long learning, work and support that promotes well-being. More people living in a cohesive community with a good environment and low crime.
  - **Making a positive contribution – 'I can participate as a full and equal member of my community'**  
People living, working, learning and taking part in community life as equal members of their community. More people involved in planning and decision making about the direction of services – having an individual budget to buy what they want. More people reporting a positive experience of using services and increased recognition for carers.
  - **Exercise of choice and control – 'I have the same life chances as other adults'**  
People with a learning disability with a person centred plan, determining for themselves where they live, how they are supported and how they spend their day. Reliable information and advice available in accessible formats - more people accessing equipment and assistive technology. Everyone receiving direct payments and individual budgets, making the most of community assets and spending their money in a way that maximises their goals and outcomes.
  - **Freedom from discrimination and harassment – 'I have an equal chance to live free from avoidable harm, fear, discrimination and prejudice'**  
Action is taken against maltreatment, neglect and exploitation including hate crime. More people report reduced discrimination, harassment and abuse. Opportunities to build and sustain valued relationships and raise a family.

- **Economic well-being – ‘I am financially stable and have as much control as possible over my money’**  
More people have access to financial information, welfare benefits and employment opportunities.
- **Maintaining person dignity – ‘I feel valued by others’**  
More people experience secure, stable and good quality care and support. People experience privacy in all settings – home, residential care and hospital - and appropriate levels of confidentiality. People feel they are treated with respect and listened to, have a sense of self-worth and are valued by others.

### **3. Key Issues**

3.1 In order to deliver the vision outlined above, urgent action needs to be taken in a number of areas:

- The overuse of traditional models of care with a large number of people living in care homes, and sometimes having to live away from Rotherham to receive services.
- The high use of traditional day centres and poor access to mainstream social activities and few work opportunities.
- The use of one type of respite care model that does not give any choice, a menu of options should to be offered in order to meet changing needs. Giving customers more choice and control and flexibility with how to spend their money and time. This will be known as short breaks in the future.
- The use of inflexible modes of transport that create over-dependence and do not take advantage of individual's skills. Assessments will identify if a customer needs social care transport provision. Where even possible Rotherham Metropolitan Borough Council will support those customers to enable them to enhance their skills and travel safely in their community.
- The current Shared Lives Scheme has shown good outcomes, work has started to develop an expansion plan which will enable the scheme to offer day support and short breaks on a larger scale.
- The connection between services for children and adults with learning disabilities needs to be strengthened to ensure continuity in meeting needs.
- Ensuring everyone with a learning disability to have more control over all aspects of their life.
- Ensuring everyone with a learning disability to reach their potential – with the right support at the right time.
- Ensuring a joint approach to commissioning services across health and social care is introduced to reduce duplication, confusion and cross-agency issues.

3.2 The issues outlined above will require a significant programme of work over next two years. They require partners across the Council and more widely across Rotherham to work closely together to make the most of Rotherham's

resources. It will require a programme management approach to ensure each key area is properly managed and that identified outcomes are delivered.

- 3.3 The Council will need to establish an effective communication and engagement strategy that properly involves all the key stakeholders and in particular those that are often hard to hear.
- 3.4 It is likely that a significant programme of decommissioning and re-commissioning will be required – all current and prospective providers of service in Rotherham to be engaged through an effective consultation and communication process.
- 3.5 Resources do not allow for Rotherham to adopt a ‘do nothing’ approach to services for people with a learning disability and their carers, as the current service model is not affordable. However, based on work in other areas of the country, it is anticipated that a revised model could be implemented that is financially viable and capable of delivering better outcomes.

#### **4. Options considered and recommended proposal**

- 4.1 Doing nothing and continuing to provide restrictive, expensive traditional services is no longer an option as it does not produce good outcomes for customers and their carers, is not Care Act compliant and is not financially sustainable going forward.
- 4.2 It is recommended that a two year Development Plan is considered to address the current gaps in service that have been identified through customer assessments. It will consider the current needs of existing customers and those expected to require services in the future. All services provided by Rotherham Metropolitan Borough Council for adults with learning disabilities and those with autism should be developed to be responsive, flexible and outcome focussed.
- 4.3 It is necessary to ensure a clear communication strategy outlines how and when Rotherham Metropolitan Borough Council intends to communicate its intentions, when co-production is relevant and where consultation is necessary.
- 4.4 It is recommended that the transition project with Children’s Services is timely and informs the development of the learning disability project with relevant information to ensure intelligent commissioning approach is in place.

#### **5. Consultation**

- 5.1 Consultation must be undertaken so that the Council complies with its duty to act fairly. There are 4 main principles to be followed to ensure that consultation is lawful. The consultation must:
  - be undertaken at a time when the proposals are still at a formative stage;
  - include sufficient reasons for particular proposals to allow those consulted to give informed consideration and an intelligent response;

- give adequate time for consultees to formulate a viewpoint; and be conscientiously taken into account when the ultimate decision is made.
- 5.2 Adult Care and Housing have worked closely with Speakup, a local advocacy organisation, and have carried out 3 engagement events - 'Together for Change' - with learning disabled people and their carers about changing day services in Rotherham.
- 5.3 It will be important to continue to work alongside customers and carers, and to keep them fully informed of developments and changes. The Together for Change sessions have identified that some customers / carers want to be involved from the beginning, helping to develop plans. They have said that it is important for the Council to consult with them but to be clear of the difference between consultation and co-production.
- 5.4 An initial engagement event has been held with providers about changing the current model of care from a traditional model to one which is community based.
- 5.5 Existing customers' needs are currently being assessed in line with the Care Act. Social Workers are having open and honest discussions with customers and their carers about what future options may be available to meet their assessed needs.
- 5.6 Customers are being encouraged to consider what alternative ways they would like to have their needs met.
- 5.7 Rotherham Metropolitan Borough Council is growing a Community Links Team to support the development of a range of community based services. The outcomes of the assessments, what existing customers, young people who may access services in the future and local communities are saying is being collated and considered by the team. The gaps identified will enable the Council to develop the right range of services, in the right areas for local people.

## **6. Timetable and Accountability for Implementing this Decision**

- 6.1 If this report is approved, work will commence immediately to establish and implement a prioritised two year work plan, which will be designed to achieve improved outcomes for citizens as quickly as possible.
- 6.2 As part of this plan the communication strategy will be shared and a clear project timeline put in place.
- 6.2 The programme of work will span the Adult Care and Housing Directorate and more widely the Council and key partners. A significant proportion of this work will be managed through the Adult Social Care Development Programme and through improved commissioning partnerships. Ownership of the work programme will rest with the Strategic Director of Adults Care and Housing.
- 6.3 A learning disabilities market position statement is close to completion and this will set out the commissioning intentions for learning disabilities. This includes

greater use of direct payments, increased employment options and greater flexibility around housing and supported living. Development of these areas as well as wider community asset development and closer links with housing will serve to improve the options for people with learning disabilities within Rotherham

- 6.4 The Alternative to Traditional Care Project which is part of the Adult Social Care Development Programme has a number of specific themes and work-streams with relate directly to services for people with learning disabilities. The timetable for implementing thematic areas is set out in the table below:

Development programme project Theme / work-stream	Approach	Timescales
<b>Opportunities during the day</b>		
Reconfiguration of day services	<p>Individual assessments of needs and consultation</p> <p>Support to customers to explore alternative options</p> <p>Look at options for existing services to become more integrated within local communities</p> <p>Explore options for developing inclusive services with customers own communities.</p>	On-going
Employment	<p>Development of business case to expand employment support</p> <p>Relocation of employment service</p>	<p>June – August 2016</p> <p>August 2016</p>
Transport	Review of transport plans on an individual basis	On-going
<b>Alternatives to residential care</b>		
Reconfiguration of respite services	<p>Individual assessments and review of customer needs.</p> <p>Review usage of current respite services and rationalise current provision</p>	Started completed - September 2015
Shared lives	Expansion of current shared lives offer	On-going work commenced
Alternatives to learning disabilities residential	Individual options to be explored with customers through assessments as supported living options develop across the Borough	From January 2017
<b>Shaping the Market</b>		
Community development	Develop a range of community options as alternatives to day services	On-going

## 7. Financial and Procurement Implications



- 7.1 It is likely that there will be significant procurement and market shaping activity as Rotherham Metropolitan Borough Council seeks to establish a wider market that offers choice, quality and value for money. A separate commissioning / contracting report relating to contracts currently held within the Adult Care and Housing Directorate was approved by commissioner / cabinet and will support proposals contained within this report.
- 7.2 The budget envelope moving forward will continue to reduce, it is therefore important that the emerging model of care ensures the full use of assets currently available within the community. To enhance these assets, it will be necessary from time to time to carry out mini-tendering exercises, it is important that the approach in Rotherham is as flexible as possible to establish the right type and range of services across the Borough.
- 7.3 The learning disability net budget is 32% of the total Adults net budget for 2016/17.

Total learning disability net budget for 2016/17      £21.532m

**Savings profile:**

Year	Amount
2016/17	£1.039m
2017/18	£1.137m
2018/19	£0.182m
<b>Total</b>	<b>£2.358m</b>

Over the next 3 years

**The total budget for the in-house learning disability services broken down by service:**

Learning Disability Service	Budget
LD residential care net budget 2016/17	£1.115m
LD day care (including transport)	£2.654m
LD supported living / community support / Shared Lives	£1.105m

These figures include the 2016/17 budget savings as identified above.

**In 2015-16, the learning disability budget supported customers across all services as follows (based on long-term services):**

Age of Customers	No. Customers Supported
18-64	708

65+	76
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## **8. Legal Implications**

- 8.1 The development of this strategic approach to services for people with learning disabilities and their carers will help underpin the implementation of the personalisation agenda. It will also ensure that Rotherham Metropolitan Borough Council is working within the principles outlined in Valuing People 2001/2009 and complies with the Care Act 2014. The Council also has a duty to ensure value for money in carrying out its duties, proposals contained within this report support this responsibility.

## **9. Human Resources Implications**

- 9.1 This report may have implications for human resources as the Council is currently a significant provider of services. Currently over 165 staff are employed in Council run services for adults with learning disabilities (appendix 2). As services change there may be impact on these staff. This will be managed through close working with HR and the unions as development of services progresses. A number of initiative and developments are being explored to enable staff to support the development of services and become a part of the new ways of working with customers.

## **10. Implications for Children and Young People and Vulnerable Adults**

- 10.1 There are likely to be implications for children and young people as a result of the recommendations made in this report. The transition of young people from Children's Services to Adult Care is an important area of work that will need further attention.
- 10.2 Adult Care & Housing and Children's Services are currently working together to understand the needs of young people and their carers and a Transition Strategy is in development and will be presented to the Health and Well-being Board. There needs to be a clear, simple pathway from Children's to Adult Services developed to ensure that professional staff can work seamlessly with customers / carers. Rotherham Metropolitan Borough Council need to be in a position to know what the likely needs of the young people who are entering into Adult Services will look like. Early intervention is imperative to enable customers to be as independent as possible by the time they reach adulthood.

## **11. Equalities and Human Rights Implications**

- 11.1 The proposals will make a positive contribution to promoting equality of access to services for people with learning disabilities and their carers. An initial Equality Assessment has been carried out for the current development programme within Adult Care and Housing and a further assessment will be carried out if this report is approved and work progresses.

## **12. Implications for Partners and Other Directorates**

- 12.1 The report highlights the need for partners to work together on this agenda, it is likely that closer collaboration will be required to deliver the work outlined.

### **13. Risks and Mitigation**

- 13.1 Unless work is commenced on transforming the current service model, resources will be under extreme pressure as new people seek to access them. Eligibility criteria would have to be used to allocate scarce resources.
- 13.2 Some Carers are very anxious about any change to service provision, they have stated that they want Rotherham Metropolitan Borough Council to “be honest and transparent” and have indicated that they want to be involved to co-produce future services. Rotherham Metropolitan Borough Council will produce a communication strategy and ensure that communication is relevant and up-to-date. Customer assessments will involve carers where appropriate. Carers will be offered their own assessment to ensure their needs are considered.
- 13.3 As customers are assessed and choose to take up alternatives, current large building based services will become unsustainable going forward. It is Rotherham Metropolitan Borough Council’s intention to develop the market place to offer a range of opportunities that can meet varied needs in local communities, this programme of development will be in conjunction with the outcomes of assessments and consultation with customers and carers.
- 13.4 The agreement to make savings over the next 3 years cannot be achieved unless alternative ways of meeting needs can be developed. Supporting customers to have a direct payment and be in control of how they manage their care and support will ensure that money is being spent on what is needed and in a more individualised way, encouraging independence and wellbeing, which in turn makes people less reliant on traditional long term care and support.
- 13.5 Staff could be affected through the development of services. However, they also play a key role in the development programme and would not want to lose the skills, knowledge and local connections they have gained over a number of years working in the Borough. Rotherham Metropolitan Borough Council are keen to encourage and support a range of community interest companies / social enterprises available to the citizens of Rotherham. There are a number of initiatives to support existing staff to consider developing opportunities within the local community.

### **14 Accountable Officer(s)**

Graeme Betts, Interim Strategic Director of Adult Care and Housing  
Nathan Atkinson, Assistant Director Strategic Commissioning  
Sam Newton, Assistant Director Independent Living and Support

#### **Approvals Obtained from:**

Chief Executive: Sharon Kemp

Strategic Director of Finance and Corporate Services: Judith Badger

Director of Legal Services – Dermot Pearson

Head of Procurement (if appropriate): Helen Chambers

This report is published on the Council's website or can be found at:-  
<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

CP/JC/JB/KD  
(12.05)

## Appendix One: Together for Change

(Separate Document)

## Appendix Two: Summary of Council Provided Learning Disabilities Services Customer / Client Nos.:

	Number of Customers	FTE Staffing Establishment (total including vacancies)	Vacant FTE Current Actual
Charnwood	31	13	
Oaks	123	33	
Reach / Maple*	58	25.6	3.02
Addison**	102	18	0
Kiveton	14	2	0
ADPRO**	46	4	0
Treefields	53	16	
Quarryhill	50	15	
Sandygate***	3	6	
Acres View***	4	5	
Parkhill Lodge	21	28	

\* The staff number is for all staff including manager, deputy manager and business support assistant.

\*\* There are 2 customers who access both ADPRO and Addison.

\*\*\* Supported living.