

Public Report with Exempt Appendices
Cabinet

Committee Name and Date of Committee Meeting

Cabinet – 23 January 2023

Report Title

Supported Living Mental Health Recovery Care and Support.

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

Yes

Strategic Director Approving Submission of the Report

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Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

Mental health care and support services are necessary to meet the Council's statutory requirements for people who are deemed eligible for support under the Care Act 2014.

A review of current care and support options for people living with mental ill-health indicates a reliance on residential care and non-specialised provision. There is a lack of provision capable of supporting people in line with the principles of mental health recovery. On the 17 October 2022, recommendations to Cabinet to commence a programme of procurement to appoint suitable qualified providers to a Community Services – Mental Health Recovery Flexible Purchasing System (FPS) was approved. The FPS will comprise of a number of separate lots. Lot 1 of the FPS specifies supported living services.

Supported living is typically defined as housing where support and/or care services are provided to help people to live as independently as possible. Supported living provides people with individual tenancies. The competitive tender to appoint the supported living services to the FPS will take approximately 6 months but there is an immediate need to shape the market to develop supported living provision. Opportunities are being presented by the market now which will accelerate market shaping to create supported living services. This report details interim formal arrangements to be made with Making Space and Amethyst Care and Support Group Ltd in advance of the FPS. This commissioning activity will run concurrently with the

development of the Community Services – Mental Health Recovery Flexible Purchasing System.

Cabinet are recommended to approve the Supported Living - Mental Health Recovery model of care and support and note the interim arrangements until the Community Services – Mental Health Recovery Flexible Purchasing System is established.

Recommendations

That Cabinet:

1. Approves the Supported Living - Mental Health Recovery model of care and support.
2. Notes that until creation of the FPS, an interim contract will be entered into with Making Space and Amethyst Care and Support Group Ltd to provide mental health recovery focussed supported living services.
3. Notes that in the future the supported living arrangements for people living with mental ill-health will be delivered through the Community Services – Mental Health Recovery Flexible Purchasing System.

List of Appendices Included

Appendix 1 - Mental Health Services for Adult Social Care – Commissioning and Procurement Approach. 5 October 2021.

Appendix 2 - Outcome of the co-production – Commissioning Mental Health Recovery Focussed Community Services.

Appendix 3 - Part A – Initial Equality Screening Assessment - Commissioning Mental Health Recovery Focussed Community Services.

Appendix 3 – Part B – Equality Analysis - Commissioning Mental Health Recovery Focussed Community Services.

Appendix 4 - Carbon Impact Assessment - Commissioning Mental Health Recovery Focussed Community Services.

Background Papers

Cabinet Paper - Commissioning Mental Health Recovery Focussed Community Services, 17 October 2022

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

Yes - Appendix 1

An exemption is sought for (Appendix 1) under Paragraph 2 (Information which is likely to reveal the identity of an individual.) of Part I of Schedule 12A of the Local Government Act 1972 is requested, as this report contains location of services and describes health diagnosis of tenants/residents.

It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information because (the information may disclose circumstances personal to tenants/residents residing at the identified locations and there are no permissions granted for any such undertaking).

Supported Living Mental Health Recovery Care and Support

1. Background

1.1 Mental health care and support services are necessary to meet the Council's statutory requirements for people who are deemed eligible for support under the Care Act 2014.

1.2 A review of current care and support options for people living with mental ill-health indicates a reliance on residential care and non-specialised provision (Appendix 1). An analysis of 25 people under the age of 67 living with mental ill-health in residential care shows they have lived there for periods ranging between 4 to 19 years duration. The majority of the residents have lived there for in excess of 5 years due to a lack of alternative and more suitable provision. There is a need for alternative community services which offer, personalised social care with increased choice and control and support people in line with the principles of mental health recovery.

1.3 Mental health recovery:

Mental health recovery services are community services which offer, personalised care with increased choice and control and support people to achieve independent living skills. By promoting their individual strengths to increase resilience, such services support a person to regain control of their lives after experiencing a serious mental illness and to move towards and sustain independent living in the community.

1.4 Supported living model:

Supported living is typically defined as housing where support and/or care services are provided to help people to live as independently as possible. It provides accommodation for a range of people including people with mental ill-health.

The term supported living refers to a product that is comprised of three elements:

- A physical building, this may be developed by an investor and owned by a private landlord.
- A registered housing provider who are not-for-profit organisations that provide low cost homes for those in housing need. They act as social landlords in a similar way to a local council, maintaining properties, providing a repair service and collecting rent.
- A care and support provider, regulated by the Care Quality Commission who supports the tenant.

1.5 People in supported living have their own tenancy agreement and are responsible for their own bills and cost of living. The personal care and accommodation parts of supported living are covered by separate agreements. To help cover costs individuals may be entitled to a range of benefits such as housing benefit. Supported living means that a person will have a home of

their own and will benefit from a greater level of autonomy as far as their environment is concerned (Source: Social Care Institute of Excellence). The accommodation is often shared, but can be single household and staff are shared across a number of people in the scheme with additional 1:1 support provided for individuals, based on their assessed eligible needs. Supported living is an alternative to institutional care for people living with mental ill-health and offers more choice, control, rights and independence which is the primary motivation for proposing adoption of this model.

The strategic drivers to develop supported living include:

- reducing the use of high cost and long term residential care,
- its strong preventative focus as it helps people to develop and maintain their independence in the longer term with links to, for example, training, employment and volunteering.

1.6 Care and Support:

The care and support delivered in supported living involves regulated provision from providers registered with the Care Quality Commission (CQC). The care and support services commissioned for people who are deemed eligible for support under the Care Act 2014 will be delivered in line with the guiding principles of the mental health recovery framework. In the supported living model, the costs to the Council are incurred on a temporary basis as the need for the service is reduced over time. Increased independence is gained gradually over an approximate timeframe of 1-3 years.

1.7 The Council is commissioning the care, support under separate contractual arrangements to those for the person's housing. This means were issues of quality, compliance and safety the Council can decommission the provider without jeopardising the person's tenancy. In this situation the poorly performing service will be replaced by a provider appointed to the Community Services – Mental Health Recovery Flexible Purchasing System (FPS) that has met the required contractual standards (see 1.9). Supported living offers a high level of support for people for whom residential care would usually be the only viable alternative.

1.8 Housing Benefit:

Supported Living is provided for people with disabilities in a specialised housing scheme provided by registered housing providers. The associated accommodation is classified as 'exempt accommodation' (Defined by the Housing Benefit Regulations), to enable Housing Benefit to meet the additional costs of providing supported housing. Rents and service charges in this sector tend to be high than as a result of a greater degree of adaptations and the need to replace furniture/fittings more frequently. For a Housing Benefit claim to be treated as an exempt accommodation claim, care, support or supervision has to be provided to the tenants.

1.9 Long term:

On the 17 October 2022, recommendations to Cabinet to commence a programme of procurement to appoint suitable qualified providers to a Community Services – Mental Health Recovery Flexible Purchasing System (FPS) was approved. The FPS will comprise of a number of separate lots. Each lot will specify a community service with the principle of mental health recovery at its core. The community services in scope include supported living, day opportunities and preventative services.

Lot 1 of the FPS specifies supported living services.

2. Key Issues

2.1 Increasing need:

In the past 6 months there has been a rise from 20 people (July 2022) to 30 people (December 2022) living with mental ill-health who require accommodation based solutions and a percentage are awaiting hospital discharge. There is an urgent need to shape the market to develop this type of provision for people living with mental ill-health who require accommodation based support.

2.2 Supported Living is delivered within the principles of mental health recovery and is reflective of the outcome of a co-production exercise carried out in 2022 (Appendix 2). The co-production engaged a range of committed stakeholders including people accessing services, their natural forms of support and professionals across health and social care system.

2.3 Accelerate Market Shaping:

The competitive tender approved by Cabinet 17 October 2022 to appoint the supported living services to the FPS will take approximately 6 months to complete. There are opportunities being presented by the market now which could accelerate the market shaping activity by Making Space and Amethyst Care and Support Group Ltd.

2.3.1 Making Space:

Making Space are a national charity providing community-based health and social care services to adults (all age) with primary care needs of mental ill health and/or learning disability. They provide regulated health and social care for people living with bipolar disorder, personality disorder and/or schizophrenia. They predominately support people with mental ill health and provide accommodation-based services and have a strong company ethos of promoting independence.

In October 2020, the Regional Head of Operations approached the Council to advise of their success in securing Social and Sustainable Capital (SASC) Housing Fund. Making Space secured a loan in June 2022 with an 18-month timescale to spend the social investment funding. Any financial risk is

between Making Space and the social investor (SASC) who makes 4-6% return on a quarterly basis to the social investor during the 10-year term. The Council will incur no cost.

Making Space are utilising the social investment of up to £1.5m to purchase property (houses, apartments) on the open market at no risk to the Council. An estimated 9 units of accommodation will meet the specialist housing needs for people living with mental ill-health and Making Space will lease the properties to a registered (housing) provider (not for profit) and propose to deliver the care and support.

2.3.2 Amethyst Care and Support Group Ltd:

Amethyst Care and Support Group Ltd are a registered care and support provider. They provide supported living in Batley, Kirklees and Leeds for people who are living with mental ill-health and/or learning disability. They work with developers to build (new) or to adapt accommodation to meet the needs of people who will access the service. The properties are leased by the developer to a registered (housing) provider (not for profit).

Amethyst Care and Support Group Ltd are currently working with a developer who is engaged in adapting a building in the south of the Borough. The planned development will provide 8 units of specialist accommodation aligned to the supported living model.

3. **Options considered and recommended proposal**

3.1 **Option 1** – Continue with the long term plan identified in section 1.8 of this report and approved by Cabinet 17 October 2022 to establish Supported Living Services (Lot 1) on the Community Services – Mental Health Recovery Flexible Purchasing System (FPS) with an estimated completion date of May 2023. Given the urgent need identified in section 2.1 of this report, this option is not recommended.

3.2 **Option 2 – Recommended** - Interim formal arrangements are made for a period of 6 months with Making Space and Amethyst Care and Support Group Ltd in advance of the FPS whilst the development of the Community Services – Mental Health Recovery Flexible Purchasing System is undertaken.

With this option both providers will apply to be appointed to the FPS and if successful new contractual arrangements will be entered into. If unsuccessful the service will transfer to an alternative successful bidder.

4. **Consultation on proposal**

4.1 In line with commissioning good practice the development of the new co-produced mental health community service model has involved a range of internal and external stakeholders (Appendix 2). With input via various interviews, workshops and focus groups it has been used to inform the content of the service specifications associated with the FPS.

A co-designed approach has been undertaken by engaging a range of committed stakeholders including people accessing services, their natural forms of support and professionals across health and social care systems.

4.2 The co-production timetable is detailed below:

Resource/host organisation	Key Stakeholders	Date	Target
Rotherham and Barnsley MIND	<ul style="list-style-type: none"> • People accessing formal and informal services living in the community • Unpaid Carers – natural forms of support for people living with mental ill-health • VCS organisations • Professionals (therapists) 	July – August 2022	80 – face to face 100 – survey online Soft research projects
Rotherham Show – MIND scoping views – via key questions	<ul style="list-style-type: none"> • People accessing formal and informal services living in the community • Unpaid Carers – natural forms of support for people living with mental ill-health 	September 2022	82 people
Absolute Advocacy Rotherham	People receiving acute service provision – RDASH NHS FT	July –2022	20 people Face to Face
Professionals RDASH/Rotherham MBC Mental Health Team/Brokerage Support Service	Professionals/practitioners supporting people who are living with mental ill-health and who are accessing formal services - living in the community	July – August 2022	

5. Timetable and Accountability for Implementing this Decision

5.1 A Service Specification and Contract Terms to provide the care and support services will be prepared in advance of any formal arrangement with Making Space and Amethyst Care and Support Group Ltd. This will be undertaken by the Strategic Commissioning Team and carried out with immediate effect.

6. Financial and Procurement Advice and Implications

Finance:

6.1 There is no new funding for developing the initiatives proposed in this report. The cost associated with Supported Living Services will be met within existing mental health budgets currently set at £5.7m (2022-2023).

6.2 The new services procured will provide alternative cost effective and appropriate options available currently (residential care and out of area supported living). Supported Living costs and residential care costs are similar. However, supported living cost are incurred on a temporary basis as

the service will reduce as independence is achieved. As residential care costs are incurred long term (section 1.2) Supported Living is a cost effective and the least restrictive option.

6.3 The people offered the supported living services described in this report will include new referrals and people already living in residential care. All referrals will be determined as a result of a Care Act 2014 assessment or review of each individual care package and final costs will be determined on an individual basis.

6.4 Estimated cost associated with the recommendations in this report:

Assuming the supported living services are procured for a period of 6 months prior to the FPS being established the expenditure is estimated to be a total of £660,000 (£349,000 - Making Space and £311,000 - Amethyst Care and Support Group Ltd).

Procurement:

6.5 The procurement of the two contracts will be considered as individual spot purchases, to cover interim arrangements whilst the procurement to establish the FPS is undertaken.

The services to be procured are defined within the Public Contracts Regulations 2015 (as amended) as Social and Other Specific Services "SOSS", and the value of each individual spot purchase (£349,000 and £311,000) is below the SOSS threshold (£552,950 excluding VAT), ensuring the Council is acting in compliance with procurement law. The award of these two contracts, will be undertaken in accordance with the Council's own Financial and Procurement Procedure Rules.

7. Legal Advice and Implications

7.1 As stated above the proposal is in accordance with the Public Contract Regulations 2015, and the Councils Financial and Procurement Procedure Rules. An appropriate contract will be concluded with both suppliers incorporating all of the requirements referred to in the report.

8. Human Resources Advice and Implications

8.1 There are no direct implications on internal HR resources.

9. Implications for Children and Young People and Vulnerable Adults

9.1 The supported living services developed as a result of the direct award of contract which are in line with the care and support model outlined and the co-produced service specification will improve the service offer for adults living with mental ill-health and who are supported by the Council and health partners.

9.2 Whilst Children's and Young People Services are out of scope for the purpose of the service specification and the procurement exercise young people transitioning to adulthood will benefit from the proposals.

10. Equalities and Human Rights Advice and Implications

10.1 The proposals in this report support the Council to comply with legal obligations encompassed in the:

- Human Rights Act (1998), to treat everyone equally with fairness dignity and respect with a focus on those who are disadvantaged as a result of disability and
- Equality Act (2010) to legally protect people from discrimination in the wider society.

10.2 An equality screening and analysis has been undertaken to inform areas of improvement. The proposals in this report will improve equality of opportunity for people living with mental ill-health to be supported to live in the community and therefore contributes positively to the equalities and human rights agenda.

11. Implications for CO2 Emissions and Climate Change

11.1 The carbon impact assessment demonstrates that the recommendations in this report will have minimal impact.

12. Implications for Partners

12.1 In line with the integration agenda, the intention is to arrange the contract in such a way which permits the South Yorkshire Integrated Care Board (ICB) to join the contract at a later date. Collaborative discussions are currently taking place.

13. Risks and Mitigation

13.1 If this exemption is not approved the Council will fail to achieve the objectives that working with a social investor, an innovative developer presents and to:

- Increase the local rented housing stock in the Rotherham Borough.
- Leverage social and private investment which will contribute to the local economy.
- Target disadvantaged people living with mental ill health (who will be direct beneficiaries).
- Prevent dependency on higher cost formal care and support services at the earliest opportunity.
- Make a significant contribution to supporting people living with mental ill-health to live in the community (as opposed to residential care) and contribute to the community in which they live.
- Support a charity to establish themselves in the Rotherham Borough with a focus on supporting people with mental ill-health which is at

present an underrepresented section of the care and support market in Rotherham.

14. Accountable Officers

Ian Spicer – Strategic Director of Adult Care, Housing and Public Health

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	09/01/23
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	05/01/23
Assistant Director, Legal Services (Monitoring Officer)	Phillip Horsfield	05/01/23

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