

RECORD OF EXECUTIVE DECISION

Tuesday, 20 January 2015

Decision No: (CAB 14/15 13741)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	HEALTH AND ADULT SOCIAL CARE
SUBJECT:	FUTURE OF THE RESPITE SERVICE FOR ADULTS WITH LEARNING DISABILITIES
AUTHOR:	Stephanie Ramsey

THE DECISION

Reconsidered decision following Call-in of Decision Number CAB 14/15 13741 on the 15th January 2015:-

Cabinet agreed the modified recommendations:

- (i) To consider the responses received during a public consultation into the future of respite services for adults with learning disabilities conducted between 24 July and 23 October 2014, outlined in Appendix 1.
- (ii) To note the intention to move the provision of respite care towards individual packages of care that make increased use of Direct Payments through a range of alternative options including shared lives and short breaks.
- (iii) To note that the needs of current service users and their carers will be thoroughly assessed prior to and following their moves to ensure that these needs continue to be met and to reduce any impact on their wellbeing.
- (iv) To authorise a phased closure of Kentish Road beginning with supporting clients with lower needs, followed by those with higher needs to access alternative respite options with a clear focus on more personalised support being accessed and resulting in the eventual total closure of the Kentish Road service by April 2015.
- (v) To note that if the proposal is agreed to undertake a 45 day consultation with affected staff with a view to minimising or avoiding compulsory redundancies.
- (vi) To delegate authority to the Cabinet Member for Health and Adult Social Care following consultation with the Leader and the Director, People to do anything necessary to give effect to the proposals in this report.
- (vii) To approve the establishment of a dedicated team of experienced social

work practitioners (from existing resources) to complete a thorough assessment of the needs of all individuals who currently receive a directly provided day and, or, respite service and that the anticipated outcome of these assessments will be:

- (a) The individual will be deemed not to have eligible social care needs and so will be signposted to access universal or other appropriate services or support;
 - (b) The individual or their representative will choose to receive a Direct Payment and will use this to purchase the care and support needed to meet their eligible social care needs; or
 - (c) The council will commission the care and support needed to meet an individual's eligible social care needs on their behalf.
 - (d) The council will then seek to carry out an annual assessment of individuals' and carers' needs.
- (viii) To note that it is anticipated that the assessments will be completed by 28 February 2015.
 - (ix) To note that no service will be closed or withdrawn until all assessments have been completed and individuals with eligible social care needs have been supported to move to suitable alternatives.
 - (x) To require a progress report at the Cabinet meeting in March 2015. This report will include a list of costed options for respite care.
 - (xi) To note that the commissioning of any new service will involve engagement with service users and carers.
 - (xii) To authorise support for those service users and their carers (who need it) wishing to take a Direct Payment, provided either by the council or a contracted third party.

REASONS FOR THE DECISION

1. Traditional respite services have been matched to individuals instead of individual packages of care tailored to meet personal preferences and lifestyle. Kentish Road is a bed based service that offers planned and emergency respite for up to 8 people at a time. Users have limited choice about when to receive their respite and who else will be using the service at the same time. Increasing incidences of users with higher level needs requiring increasing amounts of respite limit the capacity available to other users.
2. The need to move towards more personalised forms of care, where individuals can exercise more choice and control over the support and services they access is a priority both locally and nationally. In concert with this, the requirement to offer direct payments to individuals is national policy. The council currently performs in the bottom three of all councils nationally around this performance indicator, with our take up rate of direct payments currently standing at only 6% compared to a national average of 21.03% (data taken from Ascof outcome (1c(2) 2013/2014). The policy direction and imperative is to offer more personalised forms of care and in particular to offer direct payments and this continues to be a national driver as set out in the Care Act 2014 becoming a legislative requirement from April 2015.
3. There is significant evidence nationally that direct payments support people to

have increased choice, control, flexibility and an improved quality of life. They can provide bespoke solutions for unique needs which then improve outcomes for individuals. Improved outcomes can have a cost benefit by reducing the need for other services. Direct Payments cannot be used to purchase council run services.

4. The longer term viability of Kentish Road may be at threat even if no changes are made. This is due to an expected increase in the uptake of direct payments and evidence of people using their direct payment to purchase less traditional, more creative care solutions such as employing personal assistants, paying for community based activities or supported holidays. In the 14-18 years age group of those with a learning disability, who in the past may have been expected to access Kentish Road when they become an adult, the uptake of direct payments has increased from 12% in 2009/10 to 32% in 2014/15 and this trend is expected to continue over the next few years, particularly in light of the right to request a personal budget and focus on more personalised services brought in by the Children & Families Act 2014 and the Care Act 2014.
5. The statutory requirement to consult with service users, their families and other stakeholders has been fulfilled and although the overwhelming response from families was to keep Kentish Road open (77%), their comments have helped to ensure that all relevant factors have been taken into consideration.
6. Evidence from discussion with service users, their families and carers and with experienced social care practitioners shows that the development of services for individuals with the highest needs and most challenging behaviour will take time. It will also be important that users and their carers are confident in and comfortable with these alternatives. A phased approach supports this period of transition. A full Equality and Safety Impact Assessment has been carried out to identify the potential impact and mitigation of these proposals on service users and their carers and is attached as Appendix 2 for consideration.
7. The current provision of respite at Kentish Road is not the most cost effective way of providing respite. The 2014/15 unit cost, based on current occupancy, of an overnight stay at Kentish Road is £219 compared to an average cost of £53 for an overnight stay provided through the Shared Lives scheme.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The alternative option of keeping Kentish Road open to continue to provide services in the same way was considered and rejected for the reasons set out above. The current service does not meet the requirement to increase choice and control and promote individual approaches, nor does it provide best value which is a significant consideration within the current financial climate.
2. Consideration was given to a redesign of the current service. This option was rejected because it is not likely to support the full development of personalised care and the increased use of direct payments.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 20th January 2015

Decision Maker: The Cabinet

Proper Officer: Ed Grimshaw

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on: 24th December 2014

Date of Call-in: 15th January 2015

Call-in Procedure completed: 20th January 2015

Call-in heard by: Overview and Scrutiny Management Committee

Results of Call-in:

Overview and Scrutiny Management Committee requested:

- (i) that the Decision Makers reconsider the Called-In Decisions at the next Cabinet Meeting;
- (ii) that the Committee recommended that:-
 - a) the Cabinet Member for Health and Adult Social Care defer the decisions until all assessments with service users and carers had been completed and that the users' dignity and needs be respected through the process and not be affected by financial issues;
 - b) officers be requested to identify, or provide, a suitable alternative to the respite services at Kentish Road as Shared Lives do not meet the needs of all service users;
 - c) no Adult Social Care Services be closed until alternative services supplying the same standard of care could be guaranteed for the needs of all service users and carers, and that the alternative services be quality-assured on an ongoing basis;
 - d) that officers be requested to have an ongoing dialogue with St Denys Area Community Centre regarding the future usage of the centre, and include the Chair of the Centre in any discussions with Sport England; and
 - e) officers be requested to ensure that the processes and systems used to administer the provision of direct payments be improved on an urgent basis in order to support an increase in the take-up direct payments.