

BRIEFING PAPER

SUBJECT: Adult Learning Disability Residential Respite Provision
DATE: 23 January 2025
RECIPIENT: Overview and Scrutiny Management Committee

THIS IS NOT A DECISION PAPER

SUMMARY:

1. Residential overnight care remains an important part of the Council's respite offer. However, we need to make changes to our services to ensure that we can support people with high quality provision in the most cost-effective way whilst meeting increasing need going forward.
2. The Council currently delivers overnight residential respite via an in-house directly delivered service and two contracts with the external market; the latter are due to come to an end on 31 March 2025. This includes the residential respite service delivered by Way Ahead at Weston Court (a 3-bedded unit in a building owned by the council) and the Rose Road residential respite service for children and adults. There is therefore a need to review what these services should look like and how they are provided in future.
3. We have consulted on two options with current users of overnight respite services between 24 October and 16 December 2024:
 - Option 1: Expand Kentish Road and deliver the majority of overnight respite from a single service operating across two sites, Kentish Road and Weston Court.
 - Option 2: Expand Kentish Road and deliver the majority of overnight respite from one main site, i.e. Kentish Road and cease provision at Weston Court.
4. Both options involve expanding the provision at Kentish Road (the Council's directly delivered service) to ensure we are making full use of this asset and reducing our use of other residential respite provision beyond Kentish Road and Weston Court.

BACKGROUND and BRIEFING DETAILS:

Context

5. The Council currently spends £1.49M on overnight residential respite for adults with learning disabilities in Southampton. This includes its own in-house provision at Kentish Road (with current capacity to deliver 1,800 nights a year which includes an emergency bed) as well as two external contracts: one with Way Ahead Leisure Pursuits who provide a 3-bedded service in the Council's property Weston Court (commissioned to deliver 810 nights a year) and the other with the Rose Road Association (commissioned to deliver 781 nights a year for adults and 930 nights a year for children). Spend on Kentish Road is £861,700 per annum, £341,531 on Rose Road for adults and £253,884 on Way Ahead.
6. Like many councils across the country, Southampton is facing significant financial challenges and needs to make efficiencies to ensure that it is able to continue to provide high quality services within the resources available. Demand for respite is also increasing.

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Over the next 4 years to 2028/29 officers have modelled that residential respite capacity will need to increase by around 6% to 3592 nights a year. This is based on general growth in the population as well as children with residential respite packages transitioning to adult services.

7. In addition to the increased demand, the Council is also seeing costs rise within the market as a result of increases in employers' national insurance, the national minimum or living wage increases and general cost of living. The volatility of the market is a particular risk for the Council.
8. Therefore, in summary, with the current contracts with Way Ahead and Rose Road coming to an end on 31 March 2025, the Council needs to review its current residential respite provision and identify the most cost-effective way of delivering more for less at high quality in the future. Regardless of whether services are provided internally, externally or through a mixture of both, the current model of provision is not the most cost-effective. Kentish Road is operating below the capacity that it could be operating – originally a 9-bed unit, it is only operating 4 beds (plus one emergency bed). Having 3 separate providers, each delivering a relatively small number of beds, also does not lend itself to the economies of scale that can be achieved through shared management and operational costs. With contracts expiring, the Council has two choices:
 - In accordance with the Public Contracts Regulations 2015, to test the market to achieve value for money.
 - Alternatively, in line with the SCC First policy 2017, to consider and where appropriate, appoint in-house services to deliver its requirements.

Consultation

9. From 24th October to 16th December 2024 the Council ran a consultation with current users of respite provision on the number of locations future service provision should be delivered from. Two options were presented for consideration which essentially represent a change in the current model of provision:
 - Option 1: Expand Kentish Road and deliver the majority of overnight respite as a single service operating across two sites, Kentish Road and Weston Court. This would increase the number of beds at Kentish Road from 4 (plus one emergency) to 6 (plus one emergency). It would also involve fully utilising all 3 beds at Weston Court (currently commissioned at 74% utilisation). This option would deliver 10 beds in total (9+1 emergency) across two sites with capacity for 3600 nights per annum
 - Option 2: Expand Kentish Road and deliver the majority of overnight respite from one main site, i.e. Kentish Road and cease provision at Weston Court. This would increase the number of beds at Kentish Road to 8 (plus one emergency), so 9 beds in total on one site with capacity for 3240 nights per annum.
10. For both options the proposal was that the Council would be the Registered Provider delivering the majority of residential respite in-house within its direct care services and only commissioning residential overnight respite from external providers for those adults with more complex needs requiring higher core staffing levels or staff skilled in undertaking more complex clinical tasks. Both options are focussed on maximising the use of the Council's assets by making use of unutilised capacity at Kentish Road.

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11. No changes are proposed to overnight residential respite for children aged up to 18. People would also still have the option of a Direct Payment to explore their own respite options.

Service User and Carer Feedback

12. A summary report of all consultation feedback can be found at Annex 1. A total of 42 surveys were received from carers. In total this broke down as:

- 24% from Kentish Road
- 38% from Rose Road
- 40% from Weston Court

13. Key headlines from the quantitative feedback:

- 33% of respondents (=13) preferred Option 1: Expand Kentish Road and deliver the majority of overnight respite from a single service operating across two sites, Kentish Road and Weston Court.
- 8% of respondents (= 3) preferred Option 2: Expand Kentish Road and deliver the majority of overnight respite from one main site, i.e. Kentish Road and cease provision at Weston Court.
- 60% of respondents (=24) did not like either Option.

14. Below is a summary of the main themes from the service user/carers feedback (A summary of the key themes and the Council's response is also attached at Annex 5):

- Strong preference to remain with the current service provider. Carers cited current provision at Weston Court as being "personalised", "caring and intimate", "going above and beyond". Continuity and consistency of staff was highlighted several times. There were comments about Rose Road in relation to "being like a family", people having attended since they were a young child and staff therefore really understanding their needs.
- Concerns around the emotional and mental health impact of moving people from a provision where they are settled – this was particularly raised by some Rose Road carers.
- Previous experiences and perceptions of the Council's in-house services; this included several references to inconsistency of staff and Council services not being as person-centred and responsive to need as they should be. Comments about Council services during the Covid pandemic including poor communication underlay some of these concerns. It should be noted however that the Council's direct care services, including Kentish Road, were rated as Good with the Care Quality Commission in 2023.
- Significant concerns in relation to Option 2 (the single site option) that Kentish Road would not be able to meet the totality of need and that a large number of clients would be severely impacted from being in a too large, busy, institutionalised environment. People felt that Weston Court provides for a more intimate, calmer environment for those who cannot cope in a larger provision.
- Challenges that the in-house provision would not be able to offer a more cost-effective solution particularly given previously published financial information for Kentish Road which shows a much higher cost per night. Officers have

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investigated this and found that the Kentish Road cost per night included additional 1:1 staffing which is not included in the Way Ahead and Rose Road figures as other providers would bill this separately. Kentish Road has also been carrying a number of vacancies pending the Adult Social Care restructure and has had some staff on long-term sick leave, which are being covered by agency staff. The current model of 1:3 staffing across 4 beds also does not provide any economies of scale for Kentish Road.

- Concerns around lack of choice and access – particularly linked to Option 2 (the single site option).
- Concerns about whether Kentish Road could meet the needs of people currently at Rose Road. It should be noted that if Option 1 were chosen, each client would be carefully assessed before any change in venue and where a higher staffing level is required to meet need, this would be put in place.
- Concerns raised that the wider range of respite options being developed through Inclusive Lives (which is a commissioning/tendering approach to develop the market to offer more flexible and personalised service options), which include sitting services, a new social wellbeing service and more outreach options did not reflect their views. Details of this wider offer were included as part of the wider context and there is no intention to replace residential respite or require anyone to change their current allocation or move from residential to a non-residential option. A range of stakeholder groups such as the Learning Disabilities Partnership Board, Learning Disabilities Carers Co-production Group and the Southampton Parent Carer Forum have been actively involved in co-designing these future services which aim to deliver increased flexibility (times/venues/ support), increased use of inclusive environments, and a strengthened approach to skills and independence.

15. During the consultation, Way Ahead and Rose Road have voiced the following concerns about the proposals:

- The Council's ability to deliver a more cost-effective service, citing previous and current costs of the in-house provision as being higher than market prices and much higher than the costs per night outlined in the future options.
- Concerns in relation to the Council's ability to meet the complexity of need of people who would move from Rose Road to Kentish Road under the proposals, within the core staffing structure proposed, without needing to bring in a lot of additional 1:1 support. This has been assessed and costed into the proposals.
- Impact on wider offer in terms of increased costs for other respite services delivered by providers, e.g. children's short breaks, other short break provision.
- A lack of collaboration and partnership working.

16. In response to the feedback from the consultation, officers are recommending the following:

- That Option 2: Expand Kentish Road and deliver the majority of overnight respite from one main site, i.e. Kentish Road, is rejected.
- That sufficient time and resource is built in for transition, which will need to be flexible and person-centred for each individual impacted by a move.

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- That officers work with carers and cared for people through the Carers Co-production group to co-produce future quality standards for the Council's direct care services, seeking views on current provision, what matters most to carers and what good looks like; in order to build confidence in services. This could also include working with carers to engage them in the ongoing monitoring of quality and performance. A service development plan will be put in place to address concerns raised by carers during the consultation.
- That officers work with providers to fully understand and where possible put in place mitigations to address the impact on them of the proposals.

RESOURCE/POLICY/FINANCIAL/LEGAL IMPLICATIONS:

Resources/Finance

Capital Expenditure

17. Both options 1 and 2 would require some alterations and equipping of the interior of the first floor of Kentish Road (e.g. installation of ceiling track hoists alarm system and wet rooms) to accommodate the additional capacity required. Total costs of these works have been estimated at approximately £50,000. Funding has already been committed from the respite commissioning contingency budget (AQ0070) for these works.

Revenue Expenditure

18. Detailed costings, including full breakdown of costs for each of the options, can be found at Annex 3. The costs for both options have been based on the Council providing these services internally. The market has not been tested for the cost of providing these options; although estimated costs from one of the current providers of providing Option 2 (single site) show a slightly higher level of saving by circa £60k.

19. Cost of current provision is £1,492,115. This includes the Council's costs of delivering the Kentish Road Service as well as the Rose Road and Way Ahead contracts. Current capacity across all 3 providers is 3391 which includes one emergency bed at Kentish Road.

20. The tables below show the costs of each of the Options and how they compare to the cost of the current model. In addition, and owing to the opposition from carers to bringing all residential respite in-house, consideration has also been given to a mixed provider option which would be a variation of Option 1. Under this option (Option 3) Kentish Road would still be expanded and the majority of overnight respite would still be delivered from there and Weston Court; but each site would be managed by a different provider: Kentish Road by the Council and Weston Court by an external provider.

Option 1: Expand Kentish Road and deliver the majority of overnight respite as a single service operating across two sites, Kentish Road and Weston Court.

21. This delivers 3600 nights a year (plus it is estimated that up to 200 nights would be commissioned a year for more complex clients, mostly jointly funded by the Integrated Care Board – the exact number and costs for this group will fluctuate dependent on need at any one time) – this is an increase of 409 nights from current capacity and sufficient capacity to meet demand over the next 4 years.

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Option 1: Future Model (2 sites)			
	2024/25	Available nights	Price
Single Service delivered across 2 sites (KR and WC)	£1,083,791	3,600	£301.05
Additional costs for more complex clients	£51,411		
TOTAL	£1,135,202		

Option 2: Expand Kentish Road and deliver the majority of overnight respite from one main site, i.e. Kentish Road

22. This delivers 3240 nights a year (plus it is estimated that up to 200 nights would be commissioned a year for more complex clients, mostly jointly funded by the Integrated Care Board – the exact number and costs for this group will fluctuate dependent on need at any one time) – this is an increase of 49 nights from current capacity – whilst this would provide sufficient capacity to meet demand over the next two years, there is a reasonable risk that the Council would need to commission additional capacity from external providers in future years.

Option 2: Future Model (1 site)			
	2024/25	Available nights	Price
Single Service delivered in a single site (KR)	£973,804	3,240	£300.56
Additional costs for more complex clients	£51,411		
TOTAL	£1,025,215		

Option 3: as per Option 1 but using two different providers for Kentish Road and Weston Court)

23. It should be noted that the external provider costs of running Weston Court have been based on the current price for the Weston Court provision. The actual cost would be subject to the outcome of a procurement and so may be slightly higher or lower.

New Option 3: Future Model (2 sites but Council runs KR and external provider runs WC)			
	2024/25	Available nights	Price
Council costs of running expanded KR	£798,172	3600	£319.78
Another providers costs of running WC	£353,040		
Additional costs for more complex clients	£51,411		
TOTAL	£1,202,623		

Comparison of all Options against current costs

Cost Comparisons with Current Model				
	2024/25 Current Model	Option 1 New Model (2 sites)	Option 2 New Model (1 site)	Option 3 New Model (2 sites each with separate provider)
Total Cost of Core Respite provision (including utility costs)	£1,492,115	£1,083,791	£973,804	£1,151,212
Additional costs for more complex clients	incl in above	£51,411	£51,411	£51,411
TOTAL	£1,492,115	£1,135,202	£1,025,215	£1,202,623
Variance on Current Model	£0	-£356,913	-£466,900	-£289,492

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24. All the options include expanding the number of beds at Kentish Road to maximise the use of this asset and provide a more cost-effective delivery model, with the 1:3 staffing model operating across a larger number of beds. Option 1 and Option 2 deliver the Weston Court beds as part of the same service – in the case of Option 1 this would be a single service, with a single Registered Manager delivered across 2 sites. In Option 2 it would be a single service incorporating the Weston Court beds into a single site, i.e. Kentish Road. In Option 3, Kentish Road and Weston Court would be provided by two separate providers and managed separately. All options significantly reduce the cost of the existing Kentish Road service as its 1:3 staffing model would be operating over a larger number of beds.
25. The financial analysis shows that Option 2: the single site option would deliver the greatest savings at £466,900. However, this option would deliver fewer beds and less capacity than Option 1 (hence why the price per night is not lower). It was also the least preferred by the consultation, has the greatest number of non-financial disadvantages and so Option 2 is not recommended.
26. Option 1: a single service delivered across 2 sites had the greatest non-financial benefits and, whilst it does not offer the same level of savings as Option 2, it would still deliver a saving of £356,913. The recommended option on the basis of both the financial and non-financial analysis is therefore Option 1: Expand Kentish Road and deliver the majority of overnight respite as a single service operating across two sites, Kentish Road and Weston Court.
27. The new Option 3 was included to test the financial impact of delivering a service similar to Option 1 across two sites but by two separate providers. The financial modelling shows this to deliver a smaller saving of £289,492, which is due to it not having the same economies of scale as would be the case for a single provider.

Legal

28. Section 10 of the Care Act 2010 requires the Local Authority to carry out a carers assessment where it appears the carer may have needs for support and determine whether their needs meet the eligibility criteria. This can include the provision of respite care for the cared for person to promote the carer's well-being. Any respite provision must meet the cared for persons needs for care and support.
29. The recommendations are likely to have TUPE implications. Bringing the service in-house from external providers will involve TUPE unless the service is to end or continue in a different manner. Neither apply here. Staff from Way Ahead and Rose Road would potentially be in scope to transfer to the Council. To be in scope staff would need to be working mostly on the Council contract immediately before the transfer. It is impossible at this stage to properly assess who might transfer and any cost involved as the relevant information is held by the outgoing providers and they have no obligation to provide details at this stage. The Council will need additional staff if bringing the service in-house and TUPE transfers would provide at least some of those staff. The Council will work in partnership with the employers (Way Ahead and Rose Road) to meet their duties related to Transfer of Undertakings (Protection of Employment) Regulations 2006, Section 13. As part of the consideration of transfer, a timeline will be developed.

OPTIONS and TIMESCALES:

Options

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30. Annex 2 provides a non-financial options appraisal of each of the options taking account of the feedback from the consultation. This includes the two Options consulted upon as well as the “Continue with current model” option which would mean tendering the existing contracts with Rose Road and Way Ahead as is and making no changes to Kentish Road.
31. In addition, and owing to the opposition from carers to bringing all residential respite in-house, consideration has also been given to a mixed provider option which would be a variation of Option 1. Under this option (Option 3) Kentish Road would still be expanded and the majority of overnight respite would still be delivered from there and Weston Court; but each site would be managed by a different provider: Kentish Road by the Council and Weston Court by an external provider. It should be noted that this option would require a procurement to be undertaken for the Weston Court service and so it is possible there would be a change in provider.
32. Based on both the financial and non financial assessment, the recommended option is Option 1: Expand Kentish Road and deliver the majority of overnight respite from a single service operating across two sites, Kentish Road and Weston Court. This is because:
- It fully utilises the Council’s assets
 - It maintains choice and accessibility for both sides of the city
 - It provides ample capacity to meet forecast increases in demand for respite
 - It provides greater consistency of provision by having a single provider operating both sites
 - It enables the flexibility to meet different types of need
33. Other Options considered but are not recommended included:
- Do Nothing option – not recommended on following grounds:
 - Contracts with Way Ahead and Rose Road are due to come to an end 31 March 2025. Under the Public Contracts Regulations 2015, the Council is obliged to test the market should it wish to continue these services.
 - Demand for respite is increasing and the current model will not continue to deliver the capacity required without additional investment. The Council needs to find a way of delivering more for less whilst maintaining high quality.
 - Like many councils across the country, Southampton City Council is facing significant financial challenges, and needs to deliver cost efficiencies to operate within the resources available.
 - Single site option (Option 2 in the consultation) – not recommended on following grounds:
 - It does not offer a choice of location – there would not be a provision on the East side of the city
 - It does not provide the flexibility to meet a variety of needs (i.e. there would only be one provision to accommodate everyone)
 - Whilst meeting demand for the next 2 years, further analysis would suggest it would struggle to meet the expected rises in future years. Capacity would be challenged particularly at peak times of the week
 - Service users who responded to the consultation raised significant concerns about this option for the above reasons.

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34. Option 1, Option 2 and the Do Nothing option above focus on the current model of respite provision including the number of sites it is delivered from. In addition, different options have been considered in terms of the provider. This would include:

- Delivery of the whole service in-house through the Council's direct care services (as presented in the consultation)
- Delivery of the whole service by an external provider (which would involve going out to procurement)
- A mixed provider model whereby the Council continues to deliver the Kentish Road service in house but goes out to procurement to deliver the Weston Court service (which is the Option 3 already discussed and included in Annex 2).

35. The main considerations when comparing the in-house to the external provider option include impact on the market, the level of disruption for current service users, staff pay and conditions as well as delivery of savings. With these considerations in mind, the in-house option has the following benefits:

- It provides the Council with greater certainty and control over future costs.
- Whilst the external provider option may deliver a greater saving as a result of competition within the market, staff pay and conditions could be more favourable with the in-house option.
- Whilst the in-house option has the risk of potentially destabilising some providers within the market, impacting on wider market costs, outsourcing the whole service would carry greater risk for the Council in the eventuality of a market failure.
- In terms of disruption for current service users, the in-house provider option would mean a change in provider for some people. However, the external provider option carries the risk of disruption for a greater number of people as there could be a change in provider for both sites, depending on the outcome of the procurement.
- It would delay delivery of the efficiencies and savings associated with Option 1 due to the additional time required to undertake a tender (potentially extending the timeline by 3-6 months).
- The consultation did not consider outsourcing the Kentish Road service. This would need to be considered and could further delay implementation.

36. The recommended option is therefore Option 1: Expand Kentish Road and deliver the majority of overnight respite from a single service operating across two sites, Kentish Road and Weston Court and to deliver this in-house through the Council's direct care services.

Timeline

37. Based on delivering the service internally through the Council's direct care services, the timeline for delivering this is set out below with the expectation that all clients will be transitioned by early June 2025:

- February – May 2025: Adult Social Care Reviews and transition planning for clients impacted by a change in respite venue (approx. 11)
- February – end April 2025: Recruitment of additional staff and TUPE negotiations
- February- end April 2025: CQC applications for changes to registration
- Mid March – end June 2025: transition of clients impacted by a change in venue

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38. Existing contracts will be extended for an interim 3 month period to 30 June 2025 to accommodate this timeline.

RISK MANAGEMENT IMPLICATIONS

39. The main logistical risks associated with implementing the recommended Option 1 through the Council's direct care services and how these will be addressed are set out below:

- Staffing and Recruitment – additional staff will be recruited to ensure a full compliment of core staff within Kentish Road, following a robust recruitment process in line with Skills for Care safe recruitment practices. There would be dedicated HR support to the project. Internal redeployment options would also be explored. TUPE may also support, offering continuity and consistency of staff.
- Adult Social Care capacity to undertake reviews and support the transition for those clients impacted – the recommended Option 1 impacts fewer people than Option 2 and therefore carries less risk. It would require reviews and transition planning to be undertaken for around 11 people. Time has already been built into implementation timelines for this to take place from February through to May 2025.
- Capacity within Adult Social Care to affect the changes required, which in turn would impact on delivery of 2025/26 in-year savings. To address this, dedicated project and business support is being put in place to support implementation. Human Resources and property service input has also been identified to enable the changes to be implemented within the timescales identified.
- Market sustainability and potential financial impact on other services commissioned, e.g. children's short breaks. Officers will continue to work with providers to understand and seek to mitigate any impact. The Inclusive Lives tender Phase 2 for Meaningful Opportunities and Short Breaks will shortly be published and will be seeking to develop a broader range of activities and support, offering new business opportunities to short break and day care providers.

Annex/Supporting Information:

1. Consultation feedback Report
2. Non-Financial Options Appraisal
3. Financial Analysis - Confidential
4. Option 1 – ESIA
5. Key themes from the consultation feedback and Council response

Further Information Available From:	Name:	Donna Chapman – Deputy Director Integrated Commissioning
	Tel:	N/A
	E-mail:	d.chapman1@nhs.net